



PUBLIC NOTICE

Federal Communications Commission
45 L St., N.E.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>

DA 23-526
Released: June 20, 2023

**DOMESTIC SECTION 214 APPLICATION FILED
FOR THE ACQUISITION OF CERTAIN ASSETS OF
ACCESSPLUS COMMUNICATIONS, INC.
BY RINGSQUARED APC LLC**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 23-160

Comments Due: July 5, 2023
Reply Comment Due: July 11, 2023

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by AccessPlus Communications, Inc. (AccessPlus) and RingSquared APC LLC, (RingSquared APC), (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules,¹ requesting consent to transfer certain assets of AccessPlus to RingSquared APC.²

AccessPlus, a Massachusetts corporation, is a facilities-based competitive access provider operating and is certificated as a competitive local exchange carrier in Massachusetts.³ AccessPlus offers wholesale and retail access, voice, and other services throughout its territory.

RingSquared APC is a newly formed subsidiary of RingSquared LLC (RingSquared), which provides local exchange and long distance telecommunications services in multiple states.⁴ RingSquared Telecom LLC (RS Telecom), a Delaware limited liability company and a wholly-owned subsidiary of RingSquared, provides local telecommunications, long distance, and/or interconnected Voice over Internet Protocol services almost exclusively to business customers, on

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04.

² Applicants filed a supplement to their application on June 1, 2023. Letter from James C. Falvey, Counsel to RingSquared APC, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 23-160 (filed June 1, 2023). Applicants also filed an application for the transfer of authorizations associated with wireless licenses. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

³ AccessPlus participates in the E-Rate program.

⁴ RingSquared participates in the E-Rate program.

both a retail and wholesale basis. RS Telcom has fewer than 100 residential customers nationwide, all of which are located either in New York or Massachusetts.

AccessPlus agreed to sell to RingSquared all assets necessary for it to operate its telecommunications network and all wholesale service and end-user customer contracts. Applicants state that, as a result, RingSquared will service AccessPlus' current customers as prior to the transaction. Applicants state that the proposed transaction would be transparent to customers and services will be offered under the same terms and conditions.

Applicants request streamlined treatment of the proposed transaction under the Commission's rules and assert that a grant of the application would serve the public interest, convenience, and necessity. We accept the application for streamlined filing under section 63.03(b)(2)(i) of the Commission's rules.⁵

Application Filed for the Transfer of Control of Domestic Section 214
Authorization of AccessPlus Communications, Inc. to RingSquared APC LLC,
WC Docket No. 23-160 (filed May. 15, 2023).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before July 5, 2023**, and reply comments **on or before July 11, 2023**. Pursuant to section 63.52 of the Commission's rules, 47 CFR § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov; and
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: We ask that requests for accommodations be made as soon as possible in order to allow the agency to satisfy such requests whenever possible. Send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530.

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the

⁵ 47 CFR § 63.03(b)(2)(i).

presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

To allow the Commission to consider fully all substantive issues regarding the application in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.⁶ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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⁶ See 47 CFR § 1.45(c).